IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.70197-M of 2006

DATE OF DECISION: DECEMBER 14, 2006

Baljit Kaur

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. R.S.Rai, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Petitioner Baljit Kaur has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.187 dated 27.5.2006 registered under Sections 306/34 IPC at Police Station Sadar, Hoshiarpur.

I have heard the counsel for the parties and gone through the contents of the FIR.

In this case, the aforesaid FIR was registered on the statement of Jaswinder Singh, brother of deceased Parshotam Singh in which it has been alleged that his elder brother Parshotam Singh was married with petitioner Baljit Kaur long back and they were blessed with two children, one elder daughter aged 19 years, who was married, and son 15 years of age. It has been alleged that the relationship between the husband and wife remained strained and the wife was residing at her parental house for the last 13 years, but due to the intervention of the Panchayat, about ¾ months earlier to the occurrence, his brother had rehabilitated the wife. It has been stated that on 23.5.2006, his brother had committed suicide due to bad behaviour of his wife and his son Vikram Singh.

In this case, the petitioner is in custody since 18.8.2006. Counsel for the petitioner contends that the complainant has falsely implicated the petitioner and her only son because he wants to deprive the petitioner from the inheritance of the property of the deceased on the basis

of a will executed by the deceased in their favour. Counsel further contends that in the FIR, no specific instance of alleged bad behaviour has been mentioned and from the allegations, it cannot be said that the petitioner had abetted her husband to commit the suicide. Counsel also contends that till date no prosecution evidence has been led and trial is going to take a long time. Though the counsel for the respondent-State does not dispute the factual position of the case, however, he submits that keeping in view the nature of the offence committed by the petitioner, she should not be released on regular bail.

Keeping in view the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner, and she is accordingly ordered to be released on bail to the satisfaction of the trial Court.

December 14, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE